

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:21-CR-00019-KDB-DCK-1

USA

v.

DEVONTE JERILLE FORNEY

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ORDER

**THIS MATTER** is before the Court upon motion of the defendant *pro se* titled as a Motion to Quash/Dismiss Detainer. (Doc. No. 44).

Defendant was sentenced by this Court on March 11, 2024, to 18 months imprisonment followed by 24 months of supervised release. (Doc. No. 43). On March 14, 2024, Defendant received a judgment in Catawba County to serve a term of 11 to 23 months imprisonment to run concurrently with the federal judgment and a lawful detainer was filed. (Doc. No. 44, Attachment 1 at 1, 2).

The Bureau of Prisons is required to credit Defendant's state sentence, after imposition,<sup>1</sup> against his federal sentence. However, if there remains an unserved portion of his state sentence upon release from federal custody the detainer is lawful and effective.

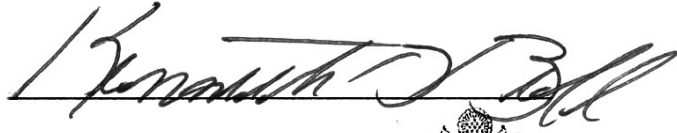
**IT IS, THEREFORE, ORDERED**, that the defendant's *pro se* Motion to Quash/Dismiss Detainer (Doc. No. 44), is **DENIED**.

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<sup>1</sup> This Court does not know whether Defendant is entitled to any credit on his state sentence for pre-judgment detention in state custody. The Bureau of Prisons is empowered to make that determination.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals Service, and the United States Probation Office.

Signed: October 24, 2024

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell  
United States District Judge

